

**United States Department Of Interior
Bureau Of Land Management
Klamath Falls Resource Area**

**Finding Of No Significant Impact
Dehlinger Trust Right of Way
For Road Construction**

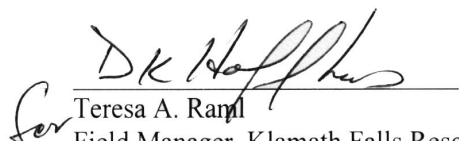
Background:

The Klamath Falls Resource Area staff of the Lakeview District, Bureau of Land Management completed an environmental assessment (EA) for the proposed construction of 201 lineal feet of road across BLM administrated land. The United States Department of the Interior, Bureau of Land Management (BLM) and the Georgia Dehlinger Trust (Trust) propose to trade access rights over private lands owned by the Trust and public lands administered by BLM. The Trust wishes to construct a road over 201 lineal feet of BLM administered land to access property owned by the trust. The road would be used for year round residential access. The trustees wish to construct a home on nearby private Trust lands. The BLM needs access to public lands on the west face of Stukel Mountain for fire control, construction and maintenance of wildlife habitat improvement projects and other purposes. Access rights would be perpetual and equal in type of use allowed. The proposed road on BLM administered land, will be located in the SW1/4 SW1/4, T40S, R10E, Section 9, Willamette Meridian, Klamath Falls, Oregon. This road will allow ingress and egress to the Dehlinger property for residential use only.

An adjacent landowner, with property south of Dehlinger, has refused to allow access to the Trust property, therefore, the only other reasonable access would be across BLM property.

Determination:

On the basis of the information contained in the Environmental Assessment (EA), and all other information available to me, it is my determination that implementation of the proposed action will not have significant environmental impacts. The benefits to BLM will greatly improve access to the west side of Stukel Mtn., and will allow better management of the BLM administered lands adjacent to the Dehlinger property. This EA is in conformance with the Klamath Falls Resources Area Resource Management Plan, and does not constitute a major federal action having significant effect on the human environment. Therefore, an Environmental Impact Statement, or a supplement to the existing Resource Management Plan, is not necessary and will not be prepared.


Teresa A. Rami
Field Manager, Klamath Falls Resource Area


Date

ENVIRONMENTAL ASSESSMENT

EA Number: OR-014-01-09

BLM Office Klamath Falls R.A.

Serial No. OR 56564

Proposed Action Title/Type: Residential access road right-of-way

Location of Proposed Action: T. 40 S., R. 10 E. Section 9 SW1/4 SW1/4

Applicant: Georgia Dehlinger Trust

Conformance with Applicable Land Use Plan:

This proposed action is subject to **Klamath Falls Resource Area Record of Decision and Resource Management Plan and Rangeland Program Summary, June 1995.**

This plan has been reviewed to determine if the proposed action conforms with the land use plan terms and conditions as required by 43 CFR 1610.5.

Remarks: The right-of-way is in compliance with the Klamath Falls Resource Area Resource Management Plan, Right-of-Way objectives, as seen on page 66 of the Record of Decision. The proposed road right-of-way will not enter any of the right-of-way avoidance areas listed in Table 14 also on page 66.

Need For Proposed Action: On March 12, 2001, a right-of-way application was filed by a Trustee of the Georgia Dehlinger Trust to construct, operate and maintain a road on Bureau- administered public lands. The adjacent property owner, with property south of Dehlinger Trust, has refused to allow access to the Trust property, via right-of-way across their property. The only alternative access would be across BLM managed lands.

Proposed Action and Alternatives:

Proposed Action: The United States Department of the Interior, Bureau of Land Management (BLM) and the Georgia Dehlinger Trust (Trust) propose to trade access rights over private lands owned by the Trust and public lands administered by BLM. The trustees wish to construct a road over 201 lineal feet of BLM administered land to access property and construct a home on lands owned by the trust. The road would be used for year round private access. The BLM needs access to public lands on the west face of Stukel Mountain for fire control, construction and maintenance of wildlife habitat improvement projects and other purposes. Access over Dehlinger Trust lands could provide this needed access. A non-exclusive use easement (equal in type of use allowed) would be granted. Access rights would be perpetual. The United States and the Trust would retain control of the road on their own lands and could grant additional access rights to, or restrict use of the road by other individuals. The Trust would

pay for the construction of the entire road and the United States would benefit from that expenditure.

Alternative 1 - No Action: Under this alternative a right-of-way would not be granted to construct a road on BLM land. Impacts to public lands and resources would be avoided and the application would be rejected.

Alternative 2 - No reciprocal ROW: The Georgia Dehlinger Trust would be granted a right-of-way to construct a road over 201 lineal feet of BLM administered land to access property owned by the trust. The road would be used for year round access and a home will be constructed on Trust owned lands, adjacent to BLM land. With this alternative the United States would not acquire administrative access over lands owned by the Trust.

Affected Environment:

The west face of Stukel Mountain is classified as Visual Resource Management (VRM) class III. The management objective for VRM class III lands is “partially retain the existing character of landscape.” The management direction for Visual Resource Management class III lands is to “Manage Visual Resource Management Class lands for moderate levels of change to the characteristic landscape. Management activities may attract attention but should not dominate the view of the casual observer. Changes should repeat the basic elements of form, line, color, texture and scale found in the predominant natural features of the characteristic landscape.”

The vegetation on public land consists of annual and perennial grasses, brush and scattered western juniper. The portion being proposed for use is predominantly flat, with some slightly sloping terrain.

The remainder of the road would be constructed on lands owned by the Trust. Vegetation on the private lands consists of grass on the irrigated pasture, western juniper woodlands on the lower slopes, big sagebrush, and annual and perennial grasses at or above 4300 feet elevation.

Environmental Impacts Summary (Proposed Action and Alternatives):

<u>Critical Element</u>	<u>Affected</u>		<u>Critical Element</u>	<u>Affected</u>	
	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Air Quality	—	<u>X</u>	T & E Species	—	<u>X</u>
ACECs	—	<u>X</u>	Wastes, Hazardous/Solid	—	<u>X</u>
Cultural Resources	—	<u>X</u>	Water Quality	—	<u>X</u>
Farmlands, Prime/Unique	—	<u>X</u>	Wetlands/Riparian Zones	—	<u>X</u>
Floodplains	—	<u>X</u>	Wild & Scenic Rivers	—	<u>X</u>
Native American	—	<u>X</u>	Wilderness	—	<u>X</u>
Religious Concerns					

Description of Impacts:**Proposed Action:**

On lower elevation private lands, western juniper would hide most of the road from the casual observer. Portions of the road on private land would be visible as it reached higher elevations where western juniper is less dense or non-existent. On public lands, the road is higher elevation than most the surrounding landscape. The road would be visible only from locations above the road as the slope where the road is to be constructed is relatively flat. An onsite “Visual contrast rating” worksheet was prepared and evaluated by BLM. It states the project design meets visual resource management objectives.

During onsite visits to the planned road construction area, there were no cultural sites found, nor any endangered or other special status species of plants or animals found. Due to the road being relatively flat, there should be no problems with erosion or sediment.

The United States would receive monetary benefits from the Trust greatly in excess of the monetary benefits the United States would grant to the Trust. The Dehlinger trust is paying for the cost of approximately 3960’ of road, including the 201’ managed by BLM. The Dehlinger Trust is building the portion of road for United States, across BLM managed lands, and also allowing BLM use of their private land portion of the road and access to the west face of Stukel Mountain. The Dehlinger Trust will pay for construction, maintenance, and improvements of the new road to their residence.

Cumulative Effects: Concerns were expressed of possible cumulative effects if lands were subdivided, and the possibility of impacts on the existing water table from multiple homes. The Trust has stated that only a single residence is proposed.

Alternative 1 - No Action: Under this alternative a right-of-way would not be granted to construct. Impacts to public lands and resources would be avoided and the application would be rejected.

Cumulative Effects: None

Alternative 2 - No reciprocal ROW: The Georgia Dehlinger Trust would be granted a right-of-way to construct a road over BLM administered land to access property owned by the trust. The impacts would be as described for the Proposed Action. However, with this alternative the United States would not acquire administrative access over lands owned by the Trust. This alternative would be of no benefit to the United States.

Cumulative Effects: Concerns were expressed of possible cumulative effects if lands were subdivided, and the possibility of impacts on the existing water table from multiple homes. The Trust has stated that only a single residence is proposed.

Description of Mitigating Measures:

Project road design features will be based on Best Management Practices (BMPs) as listed in the Klamath Falls Resource Area Resource Management Plan (RMP pages D13 - D21). With implementation of BMPs, no additional mitigation measures are needed.

Persons/Agencies Contacted:

Klamath Tribes

See attached list of government agencies:

See attached list of private citizens:

Comments were received from three of the 30 individuals and agencies contacted. In those comments there were no concerns expressed specifically with granting the right-of-way or with the road being built on BLM land. There were comments expressing concern about possible cumulative effects if the private lands were subdivided. There were no concerns with the one home-site being built, only effects of water draw down, if several homes were built.

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